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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Huang et al.

Group Art Unit: 1642

Appl. No.: 10/041,859

Examiner: Yu, Misook

Filed: January 7, 2002

Title: INHIBITOR OF APOPTOSIS PROTEINS AND NUCLEIC ACIDS AND  
METHODS FOR MAKING AND USING THEM

**TRANSMITTAL LETTER**

Mail Stop Non-Fee Amendment  
Hon. Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence along with any paper referred to as being attached is being Mailed to Addressee by service of the United States Postal Service addressed to Commissioner for Patents, P.O. Box, 1450, Alexandria, VA 22313-1450

Date: October 27, 2004

By:

Sachiko Y. Snedden

Sir:

Transmitted herewith for filing are the following:

1. Response to Restriction Requirement under 35 U.S.C. §121; and
2. Return Postcard.

No fee is believed to be incurred for filing this Response. However, the Commissioner is hereby authorized to charge any fee that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account 50-2212.

Respectfully submitted,

Pillsbury Winthrop LLP

Date: October 27, 2004

11682 El Camino Real, Suite 200  
San Diego, CA 92130-2092  
(619) 234-5000

By:

Robert M. Bedgood, Ph.D.  
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**RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121**

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Date: October 27, 2004

By:

Sachiko Y. Snedden

Sir:

In response to the Office Action mailed September 30, 2004, in connection with the above-identified application, Applicant elects Group I, claims 1-19, 44 and 46, drawn to nucleic acid, vector, host cells, array, and method of making protein for prosecution in the above-identified application.

No fee is incurred for filing this Response for the above-identified application, however, the Commissioner is hereby authorized to charge any fee, that may be due in connection with this and the attached papers, or with this application during its entire pendency, or to credit any overpayment, to Deposit Account No. 50-2212, Order No. 087102-0272537.

Respectfully submitted,

Pillsbury Winthrop LLP

Date: October 27, 2004

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